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DEREK GLOVER,	:	
	:	
	Petitioner,	
	:	20-CV-10359 (JMF)
	:	
-v-	:	
	:	<u>ORDER</u>
BRONX SUPREME COURT,	:	
	:	
	Respondent.	
	:	
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On May 24, 2021, Respondent filed a motion to dismiss the petition in this case under Rule 12(b) of the Federal Rules of Civil Procedure. Under Rule 15(a)(1)(B), a party has twenty-one (21) days after the service of a motion under Rule 12(b) to amend a pleading once as a matter of course. Because Petitioner is proceeding *pro se*, however, the Court will give Petitioner additional time to amend the petition.

If Petitioner does amend, by three (3) weeks after the amended petition is filed, Respondent shall: (1) file an answer; (2) file a new motion to dismiss; or (3) file a letter on ECF stating that it relies on the previously filed motion to dismiss. If Respondent files an answer or a new motion to dismiss, the Court will deny the previously filed motion to dismiss as moot.

Either party may request an extension of the briefing schedule for the motion. A deadline will be extended if the party demonstrates that its pursuit of the action has been diligent and that there is a good reason for extending the deadline.



 JESSE M. FURMAN
 United States District Judge